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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/386,330	08/30/1999	ATSUSHI OKADA	862.3001	1300

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FITZPATRICK CELLA HARPER & SCINTO  
30 ROCKEFELLER PLAZA  
NEW YORK, NY 10112

EXAMINER
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HAQ, NAEEM U

ART UNIT	PAPER NUMBER
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3625

DATE MAILED: 10/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/386,330

Applicant(s)

OKADA ET AL.

Examiner

Naeem Haq

Art Unit

3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 22 July 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-15, 17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-15, 17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

This action is in response to the Applicants' amendment C, paper number 13, filed on July 22, 2003. Claims 1-5, 7-15, and 17 are pending and will be considered for examination.

### ***Claim Rejections - 35 USC § 103***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

**Claims 1, 4, 7-10, 13-15, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wiecha (US Patent 5,870, 717) in view of Doyle et al (US Patent 5,694,551).** Wiecha discloses a system and method for ordering items over a computer network using an electronic catalog comprising:

- A display means for displaying the information;
- A database with pre-approved catalogs for the user;
- A purchase approving means capable of storage of approval or rejection;
- A selecting means for selecting a desired article;
- An input means for inputting information representing approval or rejection of selected item;
- A user is notified of notified of price changes;
- Inputting the information about the wanted item;
- List of approvers;

- The deleting of a line item once an order has been placed with the vendor;
- Uses an internet browser on the client terminal;
- Uses an intranet; and Program code.

Wiecha does not disclose displaying the items of information in a list window capable of displaying the articles as a list. However, Doyle teaches displaying a vendor's catalog of items as a list (Figure 13; column 5, lines 21-26). Therefore it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to incorporate the teachings of Doyle into the system and method of Wiecha. One of ordinary skill in the art would have been motivated to do so in order to use a well-known technique of displaying items. Wiecha also does not teach deleting the displayed items in response to input information representing approval of a purchase. However, Wiecha teaches deleting line items in response to placing an order. Therefore it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to delete the line items in response to input information representing approval of a purchase. One of ordinary skill in the art would have been motivated to do so in order to allow an approver to keep track of which items were waiting to be processed.

Wiecha does not explicitly disclose approval and rejection windows that are different from each other and that are displayed at different times. However, at the time the invention was made, it would have been obvious to one of ordinary skill in the art to have separate windows for approvals and rejections and to display these windows at different times. Wiecha teaches separate and distinct processes for approvals and rejections (column 10, line 30 – column 13, line 40). Wiecha also teaches that his

system and method require a computer system with browser functionality. Therefore, it would have been obvious to one of ordinary skill in this art to modify Wiecha to obtain the invention as specified in the claims. The Examiner also notes that Applicants have not disclosed in their specification that providing separate windows for approval and rejection provides an advantage, is used for a particular purpose or solves a stated problem. Furthermore, one of ordinary skill in the art would have expected Applicants' invention to perform equally well with the system and method of Wiecha because both are directed to an electronic purchase request.

**Claims 2, 3, 11, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wiecha and Doyle in view of Langhans et al (US Patent 5,500,513).** Wiecha and Doyle lack a group identifier. However, Langhans teaches the use of a division identifier. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide Wiecha with a division identifier as taught by Langhans in order to facilitate the approval process. It behooves the approver to know what the requester does in order to determine if the request pertains to the work of the requester.

**Claims 2-5, 12, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wiecha and Doyle in view of Barnes et al (US Patent 5,970,475).**

Barnes discloses purchasing control system comprising:

- A hierarchical structure identifier;
- Means to adjust the hierarchy;
- Department adjuster;

- Level of "authorization defining pre-selected goods/services that the user has available for viewing from said supplied catalog";
- Users having access to different areas depending on the tasks they perform;
- Purchase approving means notifying a user that a purchase price exceeds a predetermined limit;

Wiecha lacks the explicit disclosure of:

- The ranking of employees, and
- The determining the catalog based on the ranking.

It would have been obvious to one of ordinary skill in the art at the time of the invention to provide Wiecha and Doyle with the means to rank employees as taught by Barnes in order to determine which employees were able to aid the approver in approving the request. It would also have been obvious to one of ordinary skill in the art at the time of the invention to provide Wiecha and Doyle with limiting the catalog for certain users as taught by Barnes in order to save time by limiting what a user could see in the vendor's catalog. Finally it would have been obvious to one of ordinary skill in the art at the time of the invention to provide Wiecha and Doyle with a means of notifying a user that a spending limit had been exceeded in order to ensure that a user did not exceed his or her limit.

### ***Response to Arguments***

Applicants' arguments filed July 22, 2003 have been fully considered but they are not persuasive. The Applicants have argued that the prior art does not teach separate

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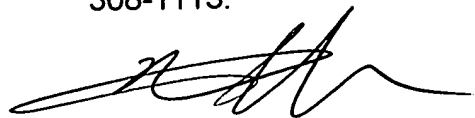
windows for rejection and approval that are displayed at different times. However, as analyzed above, this limitation is merely a design choice that would have been obvious to one of ordinary skill in the art. Although the Applicants assert that this limitation provides certain benefits over the prior art, the Examiner notes that these benefits were introduced in the amendment and not in the Applicants' original specification.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naeem Haq whose telephone number is (703)-305-3930. The examiner can normally be reached on M-F 8:00am-5:00pm.

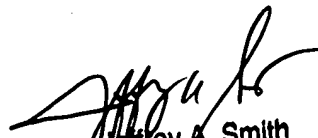
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on (703)-308-1344. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-308-1113.



Naeem Haq, Patent Examiner  
Art Unit 3625

October 6, 2003



Jeffrey A. Smith  
Primary Examiner